

Hon. Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUTODESK, INC. a Delaware
corporation,

Plaintiff,

v.

OPEN DESIGN ALLIANCE, a
Washington corporation,

Defendant.

No. 06-CV-01637-MJP

AGREED MOTION FOR A 30-DAY
STAY OF PROCEEDINGS AND
[PROPOSED] ORDER

NOTE ON MOTION CALENDAR:

February 23, 2007

Plaintiff Autodesk, Inc. and defendant Open Design Alliance jointly move the Court for a 30-day stay of these proceedings so that they may complete their ongoing settlement discussions without incurring potentially unnecessary litigation costs and without wasting judicial resources.

On November 22, 2006, the Court granted Autodesk's motion for a temporary restraining order. Since that time, the parties have met and conferred regarding expedited discovery, and Autodesk has filed its opening brief in support of its motion for a preliminary injunction. However, the parties' efforts and resources have been predominantly devoted to resolving this dispute without resort to further litigation. These ongoing negotiations, which have taken time due to the number and location of entities and individuals involved, have

1 been productive. The parties are now in the process of drafting final settlement documents
2 and are optimistic that this will resolve the matter with finality.

3 In making this joint motion, the parties remain mindful of the Court's desire to
4 keep this and all matters before it on a timely schedule. The parties respectfully make this
5 request, however, so that they may give the appropriate attention and resources to attempting
6 to complete the settlement without concurrently litigating the underlying dispute. If the
7 parties' efforts are unsuccessful at the conclusion of the stay, the parties will immediately
8 advise the Court and propose a new schedule for the responsive pleading to the
9 Counterclaims, the remaining briefing on the preliminary injunction motion, the Show Cause
10 Hearing referenced in paragraph 5 of the Court's November 22, 2006 Temporary
11 Restraining Order, and the parties' discovery obligations.

12 For all these reasons, the parties respectfully request this Court to exercise its
13 inherent power to manage and control its docket by staying proceedings in this action for a
14 period of 30 days. A proposed order consistent with this agreed motion is set forth below.

15 DATED: February 23, 2007.

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[PROPOSED] ORDER

Upon the agreed motion of the parties, and good cause appearing, the Court hereby GRANTS the motion and stays all proceedings and deadlines in this case for a period of 30-days from the date of this Order.

IT IS SO ORDERED.

DATED this ___ day of _____, 2007.

Hon. Marsha J. Pechman
United States District Judge

Presented by:

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